APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,519	05/31/2000	Daniel Otto Becker	AUS990918US1	2496

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EXAMINER
NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 10/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	**Application No.** 09/583,519	**Applicant(s)** BECKER, DANIEL OTTO
	Examiner Quang N. Nguyen	**Art Unit** 2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>02 September 2003</u> .

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-24</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>31 May 2000</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Detail Action

1.   This Office Action is in response to the Amendment A filed on 09/02/2003.

Claims 1-24 are presented for examination. Claims 1-2, 4-11, 13-15, 17-19 and 22

have been amended.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Tyra et al. (US 6,442,565), herein after referred as Tyra.

4.   As to claim 1, Tyra teaches a method and system for transmitting data content and performing operations on the data content within a distributed (client/server) computer network system, i.e., a messaging system, comprising:

client machines within the system transmit to a server a request with an explicit reference or a class name (i.e., receiving a command name into a server via said messaging system) for a particular operation, e.g., a file request including an identifier for the file is received and a search (function) is performed for the file by manipulating the identifier and comparing the manipulated identifier with available files, then a located file and associated changes are loaded and downloaded/transmitted to the client based upon the determining and searching (i.e., to initiate a particular one of multiple server functions identified by a executable having a name synonymous with said command name) (Tyra, Abstract, Fig. 29 and corresponding text, C2: L59-67 and C17: L25-46);

utilizing said command name to automatically load a class file having a name including said command name (i.e., using the explicit reference or class name received from the client request to find and load that particular class file) (Tyra, C17: L25-46);

dynamically executing functions (such as searching for the file by manipulating the identifier, comparing the manipulated identifier with available files, locating, loading and transmitting the file and associated changes to the client) on said server associated with said class file (Tyra, C2: L59-67 and C17: L25-46).

5.   As to claim 2, Tyra teaches the method of claim 1, further comprising:

comparing said command name to existing classes on said server (Tyra, C17:

L47-65);

when said command name does not match a name of an existing class, creating

a new instance of said class (i.e., attempting to find the Service Object that maintains

the Data Cell addressed by the Data Cell Address with the class name and an instance

ID (step 2404), if no such Service Object is found, one is created by finding a factory

object based on the class name (step 2406) or creating one (step 2408) if none is found

(step 2407) (Tyra, Fig. 24 and corresponding text, C15: L44-65); and

executing said new instance of said class (i.e., executing the service object to

create/populate the Data Cell using Content Factory() in step 2410 of Fig. 24) (Tyra,

C15: L44-65).

6.   As to claim 3, Tyra teaches the method of claim 1, further comprising:

deleting a current command at runtime (Tyra, C16: L33-45).

7.   As to claim 4, Tyra teaches the method of claim 1, further comprising:

adding a new command at runtime (Tyra, C15: L57-67 and C16: L1-16); and

when a class file is associated with said new command is available at a source

other than said server, which is accessible from said server, dynamically loading said

class file from said source (server 2808 accesses software of file distribution

repositories 2810-2813 wherein repository 2810 includes jar files 2811-2812, and

repository 2813 includes jar files 2814-2815) and instantiating functions of said class file

on said server (Tyra, Fig. 28 and corresponding text, C17: L1-24).

8.   As to claim 5, Tyra teaches a method and system for transmitting data content

and performing operations on the data content within a distributed (client/server)

computer network system, i.e., a messaging system, comprising:

        selecting a command desired to be executed at the network computer system

connected to said computer system, wherein said network computer system comprises

a set of class files that carry out specific function when initiated (i.e., client creating a

Data Cell Address "DCA" with the identifier including a class name and an instance ID,

transmitting the DCA to server for a particular operation such as searching for the file by

manipulating the identifier, comparing the manipulated identifier with available files,

locating, loading and transmitting the file and associated changes to the client) (Tyra,

Abstract, Fig. 29 and corresponding text, C2: L59-67 and C17: L25-46); and

        transmitting, within a message to the network system in which the selected

command is to be executed, a command name for the selected command which

matches a portion of a class filename for a class implementing the selected command,

wherein said selected command triggers an activation and execution at said network

system of functions (such as searching for the file, comparing the file with a set of class

files, locating, loading and transmitting the file and associated changes to the client)

associated with said class (Tyra, C2: L59-67, C15: L44-65 and C17: L47-65).

9.   Claim 6 is dependent on claim 5 and has limitations corresponding to limitations of claim 2; therefore, it is rejected under the same rationale.

10.   Claims 7-8 are corresponding method claims of claims 1-2; therefore, they are rejected under the same rationale.

11.   Claims 9-12 and 22-24 are corresponding system claims and computer program product claims of claims 3-6; therefore, they are rejected under the same rationale.

12.   Claims 13-16 and 17-21 are corresponding system claims and computer program product claims of claims 1-4; therefore, they are rejected under the same rationale.

Response to Arguments

13.   In the remarks, applicant argued in substance that

(A)   Prior Art does not teach or suggest "dynamically executing functions on said server associated with said class file."

As to point (A), before addressing the argument, Examiner submits that in programming, "a function" is defined as "a software routing or procedure, which performs a special task or operation". Tyra teaches client machines within the network system transmit to a server a request with an explicit reference or a class name (i.e., an identifier) to a server for a particular operation (for example, a request for updates to a particular information, such as stock prices or a request for trading a particular stock with a specified price and volume) and the server performs searching for the file by manipulating the identifier and comparing the manipulated identifier with available files, then a located file and associated changes are loaded and downloaded/transmitted to the client based upon the determining and searching (Tyra, C2: L59-67 and C17: L25-46). Hence, Tyra does teach dynamically executing functions (such as searching for the file; comparing the file with a set of class files; locating, loading and transmitting the file and associated changes to the client) on said server associated with said class file.

14.   Applicant's arguments as well as request for reconsideration filed on 09/02/2003

have been fully considered but they are not deemed to be persuasive.

15.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

16.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Quang N. Nguyen whose telephone number is (703)

305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

SPE, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the

organization is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3800/4700.

Quang N. Nguyen

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER